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Attorneys for Plaintiff
ROTH GRADING, INC. dba IMPACT ROLLER TECHNOLOGY

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

ROTH GRADING, INC. dba IMPACT ROLLER TECHNOLOGY,)	CASE NO. 2:20-cv-00336-KJM-CKD
)	
Plaintiff,)	JOINT REQUEST TO CONTINUE
)	STATUS CONFERENCE
vs.)	
)	Date: June 26, 2020
MARTIN BROTHERS CONSTRUCTION, a)	Time: 10:30 a.m.
California Corporation,)	
)	
Defendant.)	

COME NOW the Parties, by and through their undersigned Counsel and hereby move the Court to Continue the Status (Pretrial Scheduling) Conference and, in support thereof, show the Court as follows:

1. The Status (Pretrial Scheduling) Conference is presently set for June 26, 2020 at 10:30 a.m. (Filing #15, #26).
2. There is presently pending before the Court Defendant's Rule 12 Motion to Dismiss (Filing #21) which may dispose of certain claims or defenses or otherwise narrow the

issues before the Court herein.

3. Although the parties have continued to meet and confer as required by Fed.R.Civ.P. 26 and L.R. 240, the contents of a Joint Status Report and Rule 26(f) Discovery Plan will necessarily be impacted by the Court's rulings on Defendant's Motion to Dismiss.

4. Further, Plaintiff and Defendant have stipulated to permit Plaintiff to amend its Complaint herein and, upon such Amendment, Defendant will be required to file an Answer or other responsive pleading thereto.

5. This motion is not brought solely for purposes of delay or any other impermissible purpose and the relief herein requested serves the interests of judicial economy so that issues which may be mooted need not be presented to the Court in the Rule 26 Conference and Report.

WHEREFORE, the Parties request this Court enter an Order continuing the Status (Pretrial Scheduling) Conference to a date to be set approximately 30 days after the Court's Ruling on Defendant's Motion to Dismiss.

Dated: June 1, 2020

GORDON REES SCULLY MANSUKHANI, LLP

By: /s/ I. Hooshie Broomand
Mark S. Posard
I. Hooshie Broomand
Danny A. Barak
Attorneys for Plaintiff ROTH
GRADING, INC. dba IMPACT
ROLLER TECHNOLOGY

Dated: June 1, 2020

SMITH SLUSKY, POHREN & ROGERS, LLP

By: /s/ Aaron F. Smeall (as authorized on June 1, 2020)
Aaron F. Smeall, PHV
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GRADING, INC. dba IMPACT
ROLLER TECHNOLOGY

1 Dated: June 1, 2020

NAGELY, KIRBY, WINBERRY, LLP

2 By: /s/ James R. Kirby (as authorized
3 on June 1, 2020)

4 James R. Kirby, II (SBN: 88911)
5 Lanny T. Winberry (SBN: 85342)
6 8801 Folsom Blvd, Suite 172
7 Sacramento, CA 95826
8 Attorneys for Defendant ROTH
9 GRADING, INC. dba IMPACT
10 ROLLER TECHNOLOGY

11 ORDER

12 IT IS ORDERED that the Status (Pretrial Scheduling) Conference scheduled for
13 June 26, 2020, is VACATED. The Status Conference will be reset, if necessary, upon
14 resolution of the pending motion.

15 DATED: June 10, 2020.

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17 CHIEF UNITED STATES DISTRICT JUDGE
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